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Jukka Heiska

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EXAMINER

NGUYEN, THANH T

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/699,863

Applicant(s)

HEISKA, JUKKA

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



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*Detailed Office Action*

1. This action is responsive to the amendment filed on April 27, 2006.
2. Claims 8-23 are pending.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li, U.S. Patent No. 6,901,437 in view of Carlino, WO 00/039666.

5. With respect to claim 8, Li discloses the invention substantially as claimed. Li discloses an apparatus for providing data services to mobile devices in a system comprising a data network [see Li, Figure 1], at least one content server accessible via the data network [see Figure 1, items 110-114] at least one gateway for accessing the data network [see Li, Figure 1, item 106], a mobile telephone network for communicating between the mobile devices and said at least one

gateway [see Figure 1, items 102 and 104], and a content converter separate from the at least one gateway, separate from the at least one content server, and connected to the data network [see Li, Figure 1, item 100], the apparatus comprising: a data store associates with the content converter for storing indications of the characteristics of each terminal device [see Li, Figure 1, item 118] receiving means at the content converter for receiving content for a particular mobile terminal from said at least one content server, said at least one content server being connected to the data network so that said content converter is directly accessible by said at least one content server through the data network bypassing said at least one gateway [see Li, Figure 1, item 100, 108, 110, 112, 114]. However, Li does not explicitly disclose logic for adjusting content for the particular mobile terminal in the content converter according to the stored characteristics of the mobile terminal; and sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal.

6. In the same field of endeavor, Carlino discloses (e.g., converting content of markup data for wireless devices). Carlino discloses logic for adjusting content for the particular mobile terminal in the content converter according to the stored characteristics of the mobile terminal **[Carlino -- Page 9 lines 1-7 -Content converter converts original document, i.e. web page, etc., from one markup language to another markup language, in addition to, following the preferences stored in the database];** and sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal **[Carlino -- Figure 1 and Page 33 lines 19-23 - Wireless gateway (14), shown in figure 1, both receives requests and sends converted document to mobile device, i.e. mobile phone].**

**adjust the original document, i.e. convert it to format suitable for wireless device. The user can make these preferences at any time and store them in the database].**

13. With respect to claim 14, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference previously stored and currently selected by the user **[Carlino -- Page 9 lines 1-7 and page 45 lines 3-13 -- Content converter adjusts content to that of user preferences previously stored, i.e. user stores preferences for baseball scores to render them on wireless device, in a given manner].**

14. With respect to claim 15, Li- Carlino teaches a system for converting a mark-up language file into a format for presentation on a mobile terminal comprising: a content server connected to a wide area network (WAN) for transmitting a mark-up language file over said WAN **[Carlino -- Figures 1, Abstract, page 13 lines 5-6 and page 14 lines 5-18 - Original documents, i.e. web pages in HTML, are accessed over the Internet, i.e. WAN, which implicitly reside on a server, i.e. content server];** a content converted connected to said WAN for receiving the mark-up language file over said WAN from the content server, for converting said mark-up language file into a format appropriate for a mobile terminal, and for transmitting the converted mark-up language file over the WAN **[Carlino -- Figure 1, Page 9 lines 1-7, page 18 lines 19-23 and page 33 lines 19-23 -Original document from WWW is received at converter from its source, i.e. content server, upon which, it the content converter converts the original document, i.e. web page, etc., from one markup language to another markup language by following the preferences stored in the database. Upon completion, wireless gateway transmits the file over the network to the mobile device];** and a gateway between the WAN and a mobile telephone network for receiving the converted mark-up language file from

7. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Carlino's teachings of converting content of markup data for wireless devices with the teachings of Li, for the purpose of converting an original electronic document into a converted electronic document useable on a wireless device [see Carlino, pg 7].

8. with respect to claim 9, Li- Carlino further teaches wherein the content is in wireless application protocol (WAP) format **[Carlino -- Page 33 lines 1-5 - Document is in WAP format using WML]**.

9. With respect to claim 10, Li- Carlino further teaches wherein the data network is a wide-area network (WAN) [Carlino -- Figure 1 - World Wide Web or Internet is used to retrieve documents from other servers, computers etc... The Internet is classified as a WAN].

10. With respect to claim 11, Li- Carlino further teaches wherein the WAN is the Internet [Carlino -- Figure 1 and Page 14 lines 13-16 - World Wide Web on the Internet].

11. With respect to claim 12, Li- Carlino further teaches wherein the data store further stores indications of preferences of the user of each terminal device, and wherein the logic adjusts content in accordance with stored preferences of the user **[Carlino -- Page 9 lines 1-7 and page 45 lines 3-13 - Database stores uploaded characteristics of devices and preferences of the user of the device** which is used by the content converter to render documents in a manner viewable on a particular wireless device].

12. With respect to claim 13, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference currently entered by the user and stored **[Carlino -- Page 9 lines 1-7 - Content converter uses preferences and characteristics of users stored in database to**

the content converter and for transmitting the converted mark-up language file over the mobile telephone network to the mobile terminal [Carlino -- Figure 1 and Page 33 lines 19-23 - Wireless gateway (14), shown in figure 1, both receives requests and sends converted document to mobile device, i.e. mobile phone]; wherein said content converter is separate and distinct from said content server and from said gateway [Carlino -- Figure 1, page 1.4 lines 19-23 and page 15 lines 6-10 - Content converter is not integral to the wireless gateway nor the content provider but rather is an individual component, i.e. distinct from server and gateway]; and wherein said content converter accesses a database storing the characteristics of the mobile terminal in order to convert the mark-up language file into a format appropriate for the mobile terminal [Carlino -- Page 33 lines 10-19 - Database 18 contains wireless device preferences, i.e. characteristics, which are specific to the particular wireless device, i.e. type of display, i.e. number of viewable lines on screen. Converter accesses database to obtain converting information to process the conversion].

### *Response to Arguments*

15. Applicant's arguments filed on April 27, 2006 have been fully considered, however they are not persuasive because of the following reasons:

16. Applicants argue that Carlino does not teach logic for adjusting content for the particular mobile terminal in the content converter according to the store characteristics of the mobile terminal. In response to Applicant's argument, the Patent Examiner maintain the rejection because Li does teach logic for adjusting content for the particular mobile terminal in the content converter according to the store characteristics of the mobile terminal as shown in page 9, lines

1-7 (Content converter converts original document, i.e..., web page, etc., from one markup language to another markup language, in addition to, following the preferences stored in the database. Li clearly shows logic for adjusting content for the particular mobile terminal in the content converter according to the store characteristics of the mobile terminal.

17. Applicants argue that Calino does not disclose sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal. In response to Applicant's argument, the Patent Examiner maintain the rejection because Li does teach sending means for routing the adjusted content through the data network to said at least one gateway for forwarding to said particular mobile terminal as shown in, shown that simultaneous links to different nodes all having information related to the product of interest to the user.

18. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 8,15, and 16. Claims 9-14, and 17-23 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action.

19. Accordingly, claims 8-23 are respectfully rejected.

### ***Conclusion***

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO




MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTN  
August 2, 2006

  
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